

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FOCUSED FITNESS, LLC,  
Plaintiff,

vs.

ACTION BASED LEARNING LAB,  
LLC, JEAN BLAYDES MADIGAN,  
an individual, and CYNTHIA  
ANN HESS, an individual,  
Defendants.

NO. CV-12-0458-LRS

ORDER DISMISSING COMPLAINT WITHOUT  
PREJUDICE

BEFORE THE COURT is Plaintiffs' Notice of Voluntary Dismissal Without Prejudice, ECF No. 3, filed August 22, 2012 pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Defendants have not served an answer, counterclaim, or motion for summary judgment in this action. Accordingly, **IT IS ORDERED** Plaintiff's Notice (ECF No. 3), which the Court construes as a motion, is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and close the file.

**DATED** this 23rd day of August, 2012.

***s/Lonny R. Suko***

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LONNY R. SUKO  
UNITED STATES DISTRICT JUDGE

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE